

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael S. Freund, et al.      Art Unit : 2856  
Serial No. : 09/963,788      Examiner : Unknown  
Filed : September 25, 2001  
Title : NANOPARTICLE-BASED SENSORS FOR DETECTING ANALYTES IN FLUIDS

**BOX MISSING PARTS**  
Commissioner for Patents  
Washington, D.C. 20231

**COPY OF PAPERS  
ORIGINALLY FILED**

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed November 8, 2001 (copy enclosed), applicant as a small entity submits herewith the following:

- ☒ Payment of the basic filing fee of \$370;
- ☒ Payment of the additional/multiple dependent claims fees of \$243;
- ☒ Payment of \$65 surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application;
- ☒ A copy of the Notice to File Missing Parts of Nonprovisional Application;
- ☒ Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- ☒ A check as payment of the above fees in the amount of \$678.00; and
- ☐ Other: Postcard

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 8, 2002

Date of Deposit

*Patricia Wiggins*  
Patricia Wiggins


*1/8/02*

Applicant : Michael S. Freund, et al.  
Serial No. : 09/963,788  
Filed : September 25, 2001  
Page : 2

Attorney's Docket No.: 06618-707001 / CIT 3312

Respectfully submitted,

Date: 1/8/02

  
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Timothy A. Porter  
Reg. No. 41,258

Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
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50074430.doc

Client/Matter Number: 06618-707001

Client/Matter Name: CIT-3312 USE OF FUNCTIONALIZED AU THIOLS TO  
DETECT ANALYTES IN FLUIDS

Sec	Att	PS	Check Items
<b>PRE-FILING DETERMINATIONS</b>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Timing</b> Missing Parts Notice was checked to confirm the due date was docketed correctly & is fulfilled by this response
<b>REQUIRED FILING ENCLOSURES</b>			
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Caption</b> (1) serial number, & (2) filing date have been checked for accuracy against information in the file.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Postcard</b> (1) <b>EXPRESS MAIL MAILING LABEL NUMBER</b> , if any (2) billing attorney's initials, & (3) list of all papers being sent and the pages of each.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Response</b> (1) states application is perfected by the Response, or lists additional items to be submitted, (2) identifies mailing date of Notice, (3) lists all items being submitted, & (4) includes standard charges/credits statement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Copy of Notice</b> Included
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Filing fee</b> <input type="radio"/> NONE REQUIRED <input checked="" type="radio"/> CHECK <input type="radio"/> DEPOSIT ACCOUNT CHARGE, indicated on document
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Ext. of Time</b> <input checked="" type="radio"/> NONE REQUIRED <input type="radio"/> INCLUDED, with fee
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Mailing Mode</b> <input checked="" type="radio"/> 1st Class Mail: (1) includes 1st Class mail certificate, & (2) is signed and dated
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/> Express Mail: (1) includes client/matter number, & (2) is affixed to an <b>EXPRESS MAIL ENVELOPE</b> (use for National Stage PCT applications ONLY)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="radio"/> Non-Provisional U.S. App.: preprinted envelope or label is used, addressed to: Commissioner for Patents & Trademarks, Washington DC 20231 <b>BOX MISSING PART—(Express mail would be P.O. Box 2327, Arlington, VA 22202)</b>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/> Provisional U.S. App.: preprinted envelope or label is used, addressed to: Commissioner for Patents & Trademarks, Washington DC 20231 <b>BOX MISSING PARTS</b> Attn: Office of National Application Review—Express mail would be P.O. Box 2327, Arlington, VA 22202
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="radio"/> National Stage PCT App.: includes <b>EXPRESS MAIL</b> certificate addressed to: Commissioner for Patents & Trademarks, Washington DC 20231—Express mail would be P.O. Box 2327, Arlington, VA 22202 <b>BOX PCT</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Declaration &amp; POA</b> <input type="radio"/> ALREADY FILED <input checked="" type="radio"/> INCLUDED
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Verified Translation</b> <input type="radio"/> NONE REQUIRED <input type="radio"/> INCLUDED, with fee
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Small Entity Decl.</b> <input checked="" type="radio"/> NOT ELIGIBLE <input type="radio"/> INCLUDED <input type="radio"/> PREVIOUSLY FILED
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Refund Petition</b> <input checked="" type="radio"/> NONE REQUIRED <input type="radio"/> INCLUDED, for refund of any large entity fee already paid
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Seq. Listing</b> <input checked="" type="radio"/> NONE REQUIRED <input type="radio"/> INCLUDED (Checklist for Sequence Listing has been completed)
<b>TASKS AFTER ATTORNEY/AGENT CHECK</b>			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>File copies</b> (1) are complete & (2) include all signatures and dates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Express Mail Decl.</b> <input checked="" type="radio"/> NONE <input type="radio"/> IF USED: (1) Mailing Label # is correct & (2) Mailing Label stub/sticker is attached to Declaration
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Manual Docket</b> Billing secretary's manual docket entry is updated
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Database Update</b> Copy of postcard sent to Patent Services
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Folder Update</b> File copy, tab, and updated table of contents are filed in prosecution folder

Checked By:

Trish Wiggins

Secretary

TAP

Attorney/Agent

Date

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UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D. C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/963,788	09/25/2001	Michael S. Freund	06618-707001

CONFIRMATION NO. 9139

## FORMALITIES LETTER



\*OC000000007044256\*

 SCOTT C. HARRIS  
 Fish & Richardson P.C.  
 Suite 500  
 4350 La Jolla Village Drive  
 San Diego, CA 92122
COPY OF PAPERS  
ORIGINALLY FILED

Date Mailed: 11/08/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$486.
  - \$486 for 27 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1326.**

*A copy of this notice MUST be returned with the reply.*

 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE